

REMARKS

This communication is submitted in response to the office action of October 27, 2005 and further to a telephone conversation between counsel and the Examiner.

The applicant is pleased to note that claims 3, 4, 6-13, 19 and 20 have been allowed. Those claims remain in the application and have not been amended.

Claims 14-18 were rejected under 35 USC 102(b) as being anticipated by Tazumi et al., U.S. Patent No. 6, 392,537. The office action identified portions of the Tazumi et al. reference that were considered to correspond to each of the elements recited in rejected claims 14-18. In this regard, the office action asserted that the Tazumi et al. reference discloses a "memory device (RAM; col. 6, lines 24-29; figure 2, element 18) which time-sequentially stores operating information repeatedly extracted by an extractor, the operating information being stored in an order of extracted time from a current time back for a predetermined period; (col. 6, lines 36-45)." Element 18 in FIG. 2 of Tazumi et al. in fact is a RAM. The portion of Tazumi et al. at col. 6, lines 24-29 reads as follows:

"In accordance with programs stored in the ROM 16, the CPU 14 controls the door, self-diagnosis or inspects the automatic door system for failure and communicates with a maintenance station, and in order to temporarily store data to be used therefore, the RAM 18 is used."

The portion of Tazumi et al. at col. 6, lines 36-45 reads as follows:

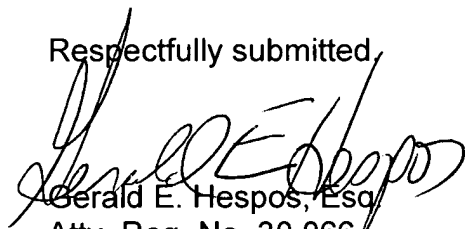
"The CPU 14 inspects the door system, i.e. makes self-diagnosis, in accordance with programs stored in the ROM 16. The CPU 14 inspects the door system for failures, such as failures in the EEPROM 20, the ROM 16 and the RAM 18, breakage of the belt, disconnection of lines interconnecting the encoder 24 and CPU 24, abnormality of the motor current, failure of any one of the sensors in the sensor assembly 10, abnormality of the magnetism of the motor 6 and overheating of the motor 6."

As noted earlier in the prosecution, the assignee of the subject invention also is the assignee of the Tazumi et al. reference. Hence, the applicant and the assignee herein are very familiar with the teaching of Tazumi et al. The second full paragraph on page 3 of the Detailed Action accurately quoted from claim 14 and cross-referenced limitations in the last subparagraph of claim 14 to the above-quoted sections of Tazumi et al. However, it is submitted that nothing in the above-quoted sections of Tazumi et al. nor in any other part of Tazumi et al. suggests that the RAM 18 "time sequentially stores the operating information repeatedly extracted by the extractor", and certainly nothing in Tazumi et al. suggests that the time-sequentially stored operating information is "stored in an order of extracted time from a current time back for a predetermined period." The above-quoted limitations of previously amended claim 14 enables the automatic door apparatus to develop a historic record that can clearly show the changes in performance of a door over time and creates a unique historical log of operating information. This historical log of operating conditions stored time-sequentially in the order of extracted time enables service personnel to determine how a malfunction of an automatic door occurred. Additionally, this historical log of operating conditions preceding a malfunction enables service personnel to predict possible future malfunctions.

It is submitted that the sections of the Tazumi et al. reference that are cited in the office action are the most relevant parts of Tazumi et al. However, those parts of Tazumi et al. do not suggest "a memory device which time-sequentially stores the operating information repeatedly extracted by the extractor" as set forth in previously amended claim 14, and certainly those cited sections of Tazumi et al. do not suggest that the operating information is "stored in the order of extracted time from a current time back

to a predetermined period." A reference cited under 35 USC 102 must have each of the elements recited in the rejected claim, and the reference must be enabling for that claim. It is submitted that the Tazumi et al. reference does not meet these requirements. For these reasons, it is submitted that the invention defined by previously amended claim 14 and its dependent claims 15-18 are patentable over the assignee's earlier Tazumi et al. reference. The Examiner is urged to contact applicants attorney at the number below to discuss this application further. Additionally, counsel will make himself available for a personal interview.

Respectfully submitted,



Gerald E. Hespos, Esq.

Atty. Reg. No. 30,066

Customer No. 001218

CASELLA & HESPOS LLP

274 Madison Avenue - Suite 1703

New York, NY 10016

Tel. (212) 725-2450

Fax (212) 725-2452

Date: February 27, 2006